

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|--------------------------------|---|--------------|
| TRACY CHARLES, ET AL. | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| PROGRESSIONS BEHAVIORAL HEALTH | : | |
| SERVICES, INC., ET AL. | : | NO. 17-2439 |

ORDER

AND NOW, this 9th day of October, 2018, upon consideration of Plaintiffs’ “Motion to Proceed as a Collective Action and Facilitate Notice Under 29 U.S.C. § 216(b)” (Docket No. 24) and Motion for Equitable Tolling (Docket No. 68), and all documents filed in connection with both Motions, and the Hearing held on September 5, 2018, and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** as follows:

1. Both the Motion to Proceed as a Collective Action and Facilitate Notice and the Motion for Equitable Tolling are **GRANTED**.
2. This action is conditionally certified as a collective action pursuant to the Fair Labor Standards Act (“FLSA”).
3. The FLSA Statute of Limitations is equitably tolled for potential opt-in plaintiffs for a period of two hundred and thirty-two (232) days.
4. On or before October 15, 2018, Defendants shall produce to Plaintiffs a computer-readable data file (Microsoft Excel spreadsheet) containing the names, addresses, and telephone numbers of all potential opt-in plaintiffs so that notice may be implemented
5. After receiving the computer-readable file, Plaintiffs are authorized to send Notice by U.S. First Class Mail to:

All persons presently or formerly employed by Defendants in the positions of Behavioral Health Worker and/or Therapeutic Staff Support who worked at least thirty-two (32) hours of “billable” work in two (2) or more workweeks from July 15, 2014 to the present.

- 6 The Court **APPROVES** the form of Notice submitted as Exhibit H to the Memorandum of Law in Support of Plaintiffs’ Motion to Proceed as a Collective Action and Facilitate Notice Under 29 U.S.C. § 216(b), except that the date to be inserted in the “To:” section on page one and in Paragraph V of the Notice shall be July 15, 2014.
7. Potential opt-in plaintiffs shall be provided with forty-five (45) days from the date of the mailing of the Notice to “opt-in” to this lawsuit.

BY THE COURT:

/s/ John R. Padova, J.

John R. Padova, J.